IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

FRIDAY, THE FIRST DAY OF OCTOBER
TWO THOUSAND AND FOUR

PRESENT

THE HON'BLE DR JUSTICE G.YETHIRAJULU

-

WRIT PETITION NO : 17725 of 2004

Between:

M.R.M.V.Satyakumar S/o.Sanjeevarao,
working as S.G.B. Teacher,

(Acting as Head Master) C.S.I. Upper Primary School,

Yetapaka, Bhadrachalam,
Khammam District.

..... PETITIONER

AND

The Commissioner and Director of School Education,

Saifabad, Hyderabad.

.....RESPONDENT

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court be pleased to issue a writ, order or mandamus declaring the action of the respondent in not disposing the appeal of the petitioner dated 23.10.2002 pending before the respondent in respect of the grievance of the petitioner ventilated in the said appeal and further appeals referred in the body of the affidavit as highly arbitrary, illegal and violative of Article 14,16 and 21 of the Constitution of India and consequentially to direct the respondent to dispose off the appeal of the petitioner forthwith.

Counsel for the Petitioner: MR.P.V.RAMANA

Counsel for the Respondent: G.P. FOR EDUCATION

The Court at the stage of admission made the following

ORDER:

The petitioner worked as a Secondary Grade Teacher in an aided post in C.S.I. Upper Primary School, Yetapaka, Bhadrachalam, which is under the management of Discesan Educational Committee, Dornakal. He was given promotion on 19-08-2002 as a School Assistant in Biological Science and posted at CSI St.Andrew's High School, Kothagudem, subject to ratification from the Competent Authority i.e., the District Educational Officer, Khammam and also the Regional Joint Director of School Education, Warangal. The petitioner filed a representation before the District Educational Officer, Khammam on 26-08-2002 bringing about the order of the District Educational Officer, dated 19-10-2001 to his notice. On

27-08-2002 he submitted another representation to the Secretary, Diocesan Educational Committee, Dornakal, for issuing necessary orders to accommodate him and his wife at the same place, keeping in view the policy of the Government to accommodate the wife and husband at the same place of working, by communicating the fact of his wife working at Yetapaka, Bhadrachelam. As the promotion orders are affected without accommodating his wife to the place where he was transferred, he requested to accommodate them in the same place. On the same day, he also sent a copy of the said representation to the Regional Joint Director of School Education, Warangal in this regard. On 02-09-2002 he made anther representation stating that there is every possibility of accommodating, his wife and himself at Khammam. He made several subsequent representations in this regard. On

19-09-2002 the Management passed an order rejecting the request of the petitioner. Therefore, he made a detailed representation on 23-10-2002 to the respondent in this regard.

The grievance of the petitioner is that the respondent, so far, did not pass any orders regarding the grievances expressed by him in his representation. The petitioner, therefore, approached this Court seeking a direction to the respondent to dispose of the representation made by him on 23-10-2002.

Having regard to the facts and circumstances of the case, the respondent is directed to pass appropriate orders on the representation of the petitioner dated 23-10-2002, according to the existing Rules, within four weeks, from the date of receipt of a copy of this order.

The Writ Petition is accordingly disposed of. No costs.

Dr.G.Yethirajulu, J

1st October, 2004

Note: Issue CC in three days

B/o.

lsn

To

1. The Commissioner and Director of School Education,

Saifabad, Hyderabad.

2. Two CCs to G.P. for Education, High Court Buildings, Hyderabad (OUT).

3. Two CD copies.